

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MINNESOTA

UNITED STATES OF AMERICA

v.

RIVER WILLIAM SMITH,

Defendant.

Case No. 22-mj-1022 DTS

**AFFIDAVIT IN SUPPORT OF
CRIMINAL COMPLAINT**

I, Trevor M. Bruders, being duly sworn, do hereby state as follows:

INTRODUCTION AND AGENT BACKGROUND

1. I make this affidavit in support of a Criminal Complaint alleging the defendant, River William Smith (“SMITH”), violated Title 18, United States Code, Section 922(o) (Possession or Transfer of a Machinegun) and Title 26, United States Code, Section 5861(d) (Attempt to Receive or Possess Destructive Devices Not Registered in the National Firearms Registration and Transfer Record). As set forth below, there is probable cause to believe that SMITH is in possession of “auto sears” or “switches,” which are devices designed to convert firearms into fully automatic machineguns. Further, there is probable cause to believe that SMITH attempted to possess three destructive devices; namely, three inert hand grenades.

2. Pursuant to 26 U.S.C. § 5845(b), the term “machinegun” includes “the frame or receiver of any such weapon, *any part designed and intended solely and exclusively, or combination of parts designed and intended, for use in converting a weapon into a*

machinegun, and any combination of parts from which a machinegun can be assembled if such parts are in the possession or under the control of a person” (emphasis added). Pursuant to 26 U.S.C. § 5845(a)(8), the term “firearm” includes “a destructive device,” which is further defined in section 5845(f)(1)(B) of this title as “any explosive, incendiary, or poison gas,” to include a “grenade.”

3. I am a “federal law enforcement officer” within the meaning of Federal Rule of Criminal Procedure 41(a)(2)(C), that is, a government agent engaged in enforcing the criminal laws. I am a Special Agent of the Federal Bureau of Investigation (“FBI”). I have been employed by the FBI since February of 2022. Since October 2022, I have been assigned to the Joint Terrorism Task Force (the “JTTF”) of the FBI’s Minneapolis Division. In this capacity, I investigate, among other things, criminal cases relating to domestic terrorism, international terrorism, and threats to the public. In addition to my on-the-job experience, the FBI has provided me with training in domestic terrorism and the techniques used to investigate allegations of domestic terrorism.

4. The facts set forth in this affidavit are based on my own personal knowledge, knowledge obtained from other individuals during my participation in this investigation, including other law enforcement officers, my review of documents and computer records related to this investigation, communications with others who have personal knowledge of the events and circumstances described herein, and information gained through my training and experience. This affidavit is intended to show only that there is sufficient probable cause for the requested Criminal Complaint and does not set forth all of my knowledge about this matter. Based on my training and experience and the facts as set forth in this

Affidavit, there is probable cause to believe that SMITH has committed violations of Title 18, United States Code, Section 922(o) and Title 26, United States Code, Section 5861(d).

PROBABLE CAUSE

2019 – Smith Fires Rounds from an AK-47 Inside His Residence

5. Your Affiant has reviewed reports from the Savage Police Department regarding a 2019 incident involving SMITH. On December 31, 2019, Savage Police were dispatched to SMITH's grandmother's house, where SMITH also resided, on a report of shots fired. SMITH, who was 17 years old at the time, had fired three rounds from an AK-47-style assault rifle inside the residence. One round penetrated the door to a room where his grandmother, R.M., was located, causing her injury.¹

6. During the execution of follow-up search warrants, police located one AK-47-style rifle outside the residence and two loaded handguns, one .22 caliber rifle, and a shotgun in SMITH's bedroom. They also recovered fifteen fully loaded 7.62mm magazines, tactical equipment, ammunition cans full of ammunition, and pistol magazines. Analysis of SMITH's electronic devices pursuant to a state search warrant revealed internet searches about Adolf Hitler, the Nazi SS, and videos of homosexuals being killed. On SMITH's external hard drive, investigators also located multiple computer files related to bomb building and manufacturing homemade firearms, as well as schematics for creating fully automatic firearms.

7. In a post-*Miranda* interview, SMITH acknowledged his interest in firearms.

¹ SMITH still resides with his grandmother and grandfather in Savage, Minnesota.

SMITH also told investigators that he received the bomb-making documents from an online resource, claiming he liked to learn about the topic, but was not a “super terrorist.”

2022 - Witnesses Report Smith’s Concerning Behavior

8. On September 27, 2022, a concerned citizen (“CC”) contacted the FBI National Threat Operations Center to report the troubling behavior of a 20-year-old man at a firearm range. The CC, a retired police officer and a SWAT commander for a local police department, works at a local gun range frequented by SMITH.² The CC reported that on September 24, 2022, he was teaching a class at the range when he observed SMITH arrive with multiple targets, including metal, paper, and silhouette targets. SMITH then set up a barricade made of plywood. SMITH was wearing a Level IV plate carrier³ and conducting rapid reload drills with his handgun. The CC observed SMITH laying on the ground and shooting under and around the barricade, all while conducting rapid reload drills. The CC estimated that SMITH fired 300 rounds of ammunition in 20 minutes, which the CC found excessive compared to customary conduct at the range.

9. The manager of a gun club located in Prior Lake, Minnesota (hereinafter “W-1”) also witnessed unusual conduct by SMITH. W-1 has known SMITH to be a member of the gun club since March 9, 2022, and on numerous occasions in September of 2022, SMITH appeared at the range wearing black tactical clothing and a chest plate carrier. W-

² The CC has prior knowledge of SMITH from his service as a local police officer and was aware of the above-referenced 2019 shooting incident.

³ A Level IV plate carrier is the highest armor rating and is tested to protect against several pistol and rifle direct shots.

1 stated the attire worn by SMITH is very unusual for the gun club. On September 24, 2022, W-1 witnessed SMITH firing approximately 300 rounds with his handgun at no targets, while lying on the ground.

10. W-1 reported that on November 8, 2022, SMITH entered the gun club lobby wearing a black jacket with what appeared to be a black tactical load-bearing vest, gray pants, and black shoes. SMITH appeared to have a pistol protruding from his right cargo pocket.

11. On November 11, 2022, FBI agents observed SMITH's grandmother, R.M., drive SMITH to the range and remain in the car while SMITH shot. SMITH wore light-colored tactical pants, a black jacket with body armor underneath, and a full-face "Punisher"⁴ mask. The following photographs were taken by FBI agents during the surveillance that day:

⁴ In my training and experience, the "Punisher" skull logo is a symbol that has been adopted by groups advocating for increased violence from right-wing fringes. The symbol has been referenced as the "last thing a victim sees." Devin Kelley wore the mask while he shot and killed twenty-six people at a Texas church in 2017. The mask is also popular with elite military groups.



Figure 1

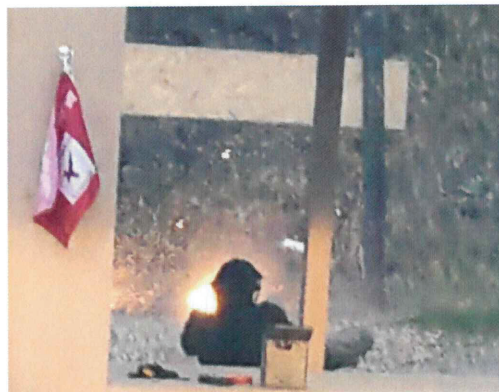


Figure 2

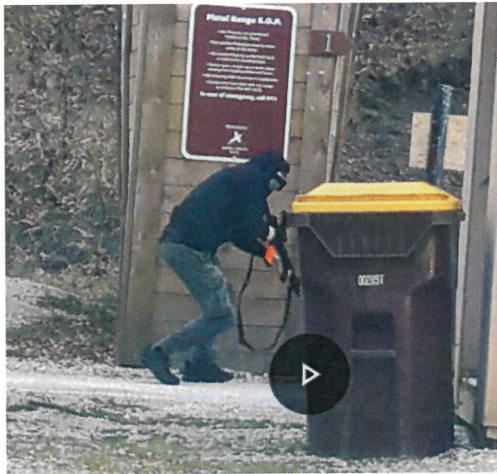


Figure 3

Statements to FBI Confidential Human Source 1

12. On November 15, 2022, a confidential human source (hereinafter CHS-1)⁵ engaged in text conversations with SMITH on a social media platform. SMITH told CHS-1 that he practices shooting “in armor and a helmet cause that’s how I’d shoot if I was really in combat.” In text conversations with CHS-1, SMITH revealed that he is preparing for a violent exchange with police and that he maintains an intense dislike of minorities, Jewish individuals, and homosexuals.⁶

⁵ CHS-1 is paid for providing information to the FBI, and your Affiant knows that CHS-1 has provided reliable information in the past.

⁶ SMITH told CHS-1 that he took a DNA test to make sure he did not have any Jewish blood. SMITH also wrote that he likes abortion “because 70% of babies aborted are black.”

13. SMITH wrote to CHS-1 that he cannot shoot as much as he wants because, at his age, he cannot buy ammunition yet. Your Affiant knows that in Minnesota, a person must be 21 years of age or older to legally purchase handgun ammunition. SMITH provided CHS-1 with the following photograph of three handguns and an AR-style rifle he purports to own.



Figure 4

14. On November 15, 2022, CHS-1 asked SMITH if he knew what the term “spicy” firearms might refer to. SMITH responded that “spicy” likely means having “full auto lowers.”⁷ SMITH added that he presently has access to full auto lowers and suppressors:⁸ “If it’s full auto lowers which it probably is or suppressors I have access to

⁷ SMITH’s reference to “full auto lowers” means a rifle lower receiver that operates fully automatic, firing more than one bullet with each trigger pull.

⁸ Suppressors, also known as silencers, are muzzle devices that reduce the sound intensity and muzzle rise when a gun is discharged. Suppressors are legal for purchase in Minnesota, but the purchaser is required to be at least 21 years old, to undergo an ATF background check, and to pay an additional fee, a process which takes anywhere from six to nine months.

both if I need to.” A screenshot of this conversation is included below. *See Figure 5.*

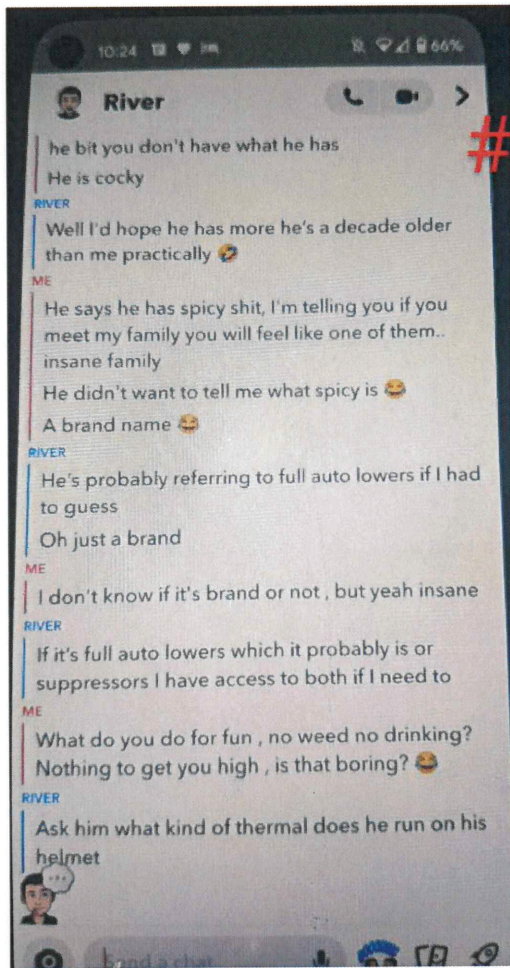


Figure 5

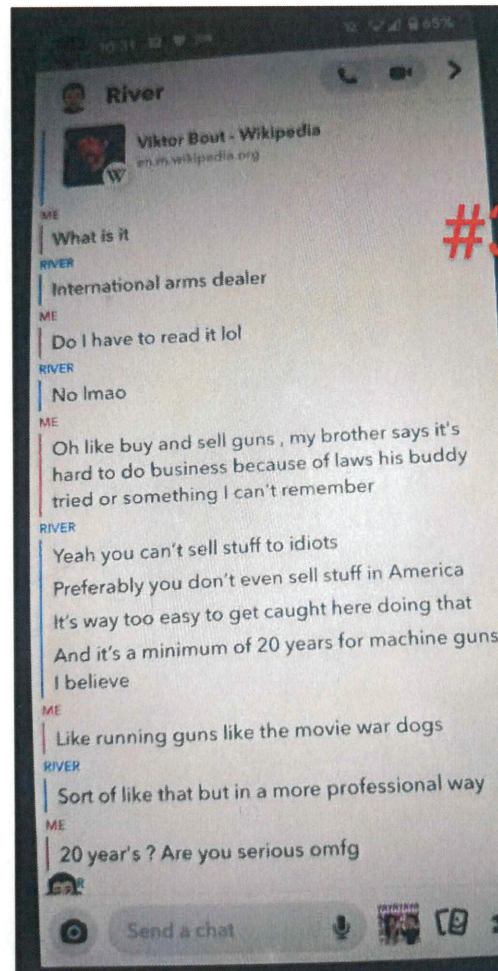


Figure 6

15. SMITH added that a person can be sentenced to twenty years in prison for having a machine gun. *See Figure 6.* SMITH clarified, “I don’t have any of that near me as we speak so. I’m good. Not that it matters. Cops will raid your house without reason anyway.” Your Affiant interprets this as SMITH comprehending the illegality of the auto sears he later requested.

Statements to FBI Confidential Human Source 2

16. On November 16, 2022, a confidential human source (hereinafter CHS-2)⁹ had conversations with SMITH in person at a gun club range. The conversations were audio recorded.¹⁰ CHS-2 and SMITH shared neighboring firing lanes. CHS-2 rapid fired numerous rounds with his rifle, which was equipped with a binary trigger.¹¹ This rapid firing attracted SMITH's attention, and SMITH asked CHS-2 about the trigger mechanism and how it employs like a fully automatic firearm:

SMITH: Do you like that trigger? [UI]

CHS-2: I fucking love it. I love it. It's good for five mags though.

SMITH: R-what do you mean?

CHS-2: Five mags. And then you got to replace it. You got to replace all the internals.

SMITH: Oh shit. I didn't know that.

CHS-2: [laughter] You're better off getting-

SMITH: How like, uh...usable is it? I mean, is it like-I know it's supposed to be like full auto, but it is like [UI] same target?

CHS-2: [Overlapping voice] [UI] I mean mines-mines already shot.

⁹ CHS-2 is paid for providing information to the FBI, and your Affiant knows that CHS-2 has provided reliable information in the past.

¹⁰ In this Affidavit, block-quoted language of conversations between CHS-2 and SMITH is from preliminary transcriptions of audio-recorded conversations unless noted otherwise.

¹¹ A binary trigger is a legal replacement trigger that allows the shooter to fire one round with the pull of the trigger and an additional round with release of the trigger; this enables shooters to double their round count.

SMITH: Yeah.

17. When asked about his aggressive shooting style (*e.g.*, SMITH's use of body armor and rapid firing drills), SMITH told CHS-2 he is preparing himself to fight the police and that he was dedicated to dying in the fight with the police. SMITH stated he does not want his guns taken away again.¹²

18. CHS-2 also observed that SMITH possessed two handguns and an AR-style rifle made by gun manufacturer Daniel Defense. According to CHS-2, the rifle had high-end accessories, including a scope. SMITH was wearing body armor and a Kevlar helmet. SMITH told CHS-2 that he carries a firearm all the time even though he is under 21 years old¹³ and that his grandmother buys his firearms and ammunition. SMITH told CHS-2 about a time his grandmother was hit in the hand by a bullet he fired.¹⁴ SMITH said he has multiple guns, including shotguns and long-range rifles, at his residence. CHS-2 took a video of SMITH shooting a shotgun round called a "Dragon Breath."¹⁵ A screen shot from

¹² Your Affiant believes this statement refers to the seizure of SMITH's firearms following the 2019 shooting incident in Scott County.

¹³ Your Affiant is aware that in the State of Minnesota, it is legal for a person under 21 years of age to possess a rifle, however, persons must be over the age of 21 years and possess a valid permit to carry a handgun. An exception to this rule permits a person under 21 years of age to possess a handgun while shooting at a range under parent or guardian supervision.

¹⁴ Your Affiant believes this is another reference to the 2019 incident in Scott County.

¹⁵ A "Dragon Breath" round is a unique type of incendiary-effect shotgun round that your Affiant knows is often used to start controlled fires. When the round is fired, sparks and flames can shoot out to about 100 feet, simulating the effect of a flamethrower. While this round is restricted in some states, it is a legal ammunition in the state of Minnesota.

that video is included below. *See Figure 7.*



Figure 7

19. On November 17, 2022, CHS-2 met again with SMITH at the gun range. The meeting was audio recorded. SMITH stated that he wants an auto sear for his Daniel Defense AR-15. When CHS-2 told SMITH the device would cost approximately \$120, SMITH provided CHS-2 with a down payment:

SMITH: I wanna get a – I don’t know what the name of it is. It’s like uh...little metal piece you put in the back, you know? And then it’s just full auto only.

CHS-2: Auto-sear.¹⁶

SMITH: Yeah. Yeah.

CHS-2: You want an auto-sear?

SMITH: I-I do. Honestly, cuz it’s like – I’m at the point to where like, m-my shit’s already all legal, dude, so if they come for me,

¹⁶ An “auto-sear” is an illegal device made of metal or plastic that converts a firearm into a fully automatic weapon.

dude, I may as well. Even though it's not that useful dude, if you get them in the car dude – ah dude brrrrrrr.¹⁷ There's-

CHS-2: You give me a hundred twenty bucks, I'll get you an auto-sear. And I'll get you a real one made out of metal.

SMITH: I-I can give you a hundred. I got a hundred on me, I can give you twenty once you get it.

CHS-2: That's a deal.¹⁸

20. Later that same day, SMITH sent a text message to CHS-2 asking about obtaining "one of those barrels for a Glock 17 too." *See Figure 8*. CHS-2 later asked SMITH to clarify the reference to "Glock barrels" and SMITH wrote back, "Code for auto S." *See Figure 9*.

¹⁷ SMITH made a sound effect for continuous gun fire. Your Affiant interprets this as a reference to employing an automatic weapon.

¹⁸ SMITH and CHS-2 later agreed to a \$60 cash down payment, which CHS-2 turned over to the FBI.

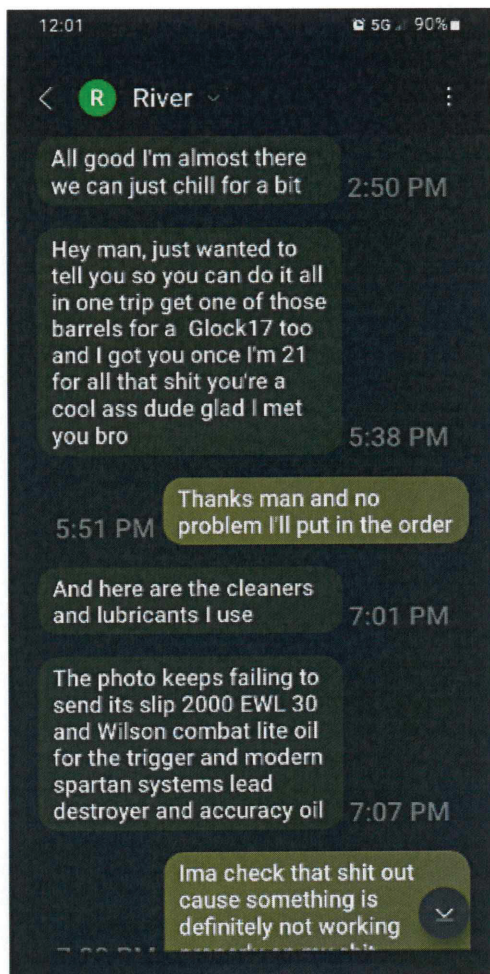


Figure 8

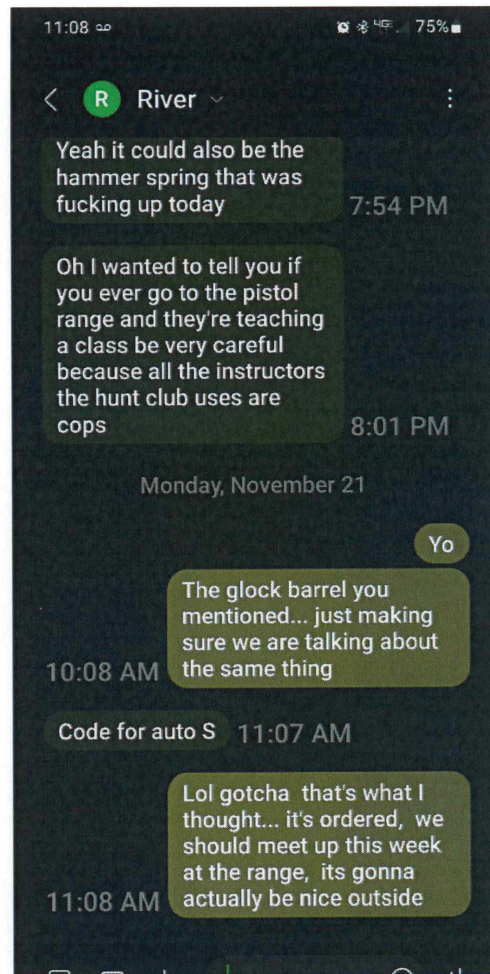


Figure 9

21. Your Affiant interprets this as SMITH using the term “Glock barrels” as code for an auto sear intended for a Glock handgun, also known as a “Glock switch.” This indicates to the Affiant that SMITH is attempting to make one of his handguns, as well as his assault rifle, an automatic weapon.

22. While shooting together on November 17, 2022, SMITH acknowledged that he was previously interested in joining a group called “The Base,” which your Affiant knows to be a neo-Nazi paramilitary group. SMITH explained this to CHS-2:

SMITH: The group I was in uh-well I wasn't in, but I almost joined in,

I'm glad I didn't because they got fuckin' griped on, I dunno if you've heard of, it's called the uh "The Base"? No, nah, they were real small but they were like, you know, legit terrorists, you know. Kinda like, uh what else can ya, have you ever heard of uh Atomwaffen?¹⁹

CHS-2: Sounds familiar, but-

SMITH: Yea that's like the highest extreme one, you know, and The Base was below that and I had a couple buddies that were in and they were like, oh yea we got a couple—they have low numbers, you know, cuz they're like the hyper extreme guys you know like actually doing shit like bombs and shit, you know?

CHS-2: Like pipe bombs and shit?

SMITH: Yea yea, pipe bombs and car bombs and shit like that. And uh they got cracked down on heavy dude, and they got one of them and fuckin' he started singing, that's how it goes.

Additional Communications with CHS-1

23. On November 20, 2022, CHS-1 exchanged messages with SMITH on social media. SMITH told CHS-1 that he was kicked off of the videogame Warzone²⁰ by game moderators for calling people "nig- while killing them. Saying I was the kkk. Etc."

24. On November 22, 2022, CHS-1 exchanged messages with SMITH on social media. CHS-1 asked SMITH if it is difficult to shoot a fully automatic weapon, to which SMITH responded, "It's not bad. You have to shoot in bursts," and "I want full auto just cause it's fun too."

¹⁹ Atomwaffen Division, also known as the National Socialist Resistance Front, is an international right-wing extremist and neo-Nazi terrorist network.

²⁰ "Call of Duty: Warzone" is a combat videogame that allows players to live play online together; while playing the game, players are in a first-person shooter perspective while they engage in battles and skirmishes.

25. The message exchange between CHS-1 and SMITH continued. CHS-1 asked SMITH about the recent Colorado Springs shooting at an LGBTQ night club. Regarding the gunman, SMITH wrote, “Lmao based (*sic*). I think the guys a hero.” SMITH and CHS-1 then exchanged the following messages:

SMITH: I’m pro mass shooting in general. I think they’re pretty funny and most of the time. And hear me out. Most of these shooters were pissed on in some way by society. Ant this is America. All the social clad victims had the ability to carry guns and amor. And they didn’t.

CHS-1: But they always get caught or get killed. And the media get to call them terrorists.

SMITH: Yes. I don’t think it’s a good thing but it’s very easy to deal with so it’s hard to feel bad for them. I would never do one. Well maybe. Like if I was compromised by the police everyone I don’t know it getting a few rounds just for fun. But I’d never seek it out.

26. SMITH further wrote, “Yeah I’m not a mass shooter. The only people I’d ever kill have guns and body armor as well.” SMITH added, however, that he sympathizes with the Parkland School shooter²¹ and that the people and institutions around that person had turned him into a mass shooter.

27. In this same message exchange, SMITH wrote, “I have 11 guns,” and “There’s three different ones I carry.” SMITH added, “Black people ar agents of satan sent here to test us. That’s what I believe.” SMITH explained to CHS-1 why he is anti-police, referencing his prior arrest and how his firearms were taken away:

²¹ Nikolas Cruz was a 19-year-old former student who opened fire on students and staff of a high school in Parkland, Florida, in February 2018. Cruz killed seventeen people and injured seventeen more.

SMITH: If they [referring to law enforcement] come for me I'm ready to die and meet god.

CHS-1: Don't say that. Your life is more important than guns and you can't fight them with 11 guns.

SMITH: I can fight them with armor and full autos. Most cops can't shoot. You'd be surprised. We're all going to die. It's not up to me to decide when. So I take it as whenever god says I'm done they'll turn up. And I can put all the training to use. I'm not looking for a big gunfight. But I hated life without guns.

...

SMITH: See I've seen what happens when the cops get you. That's why I'd die before ever being handcuffed again. Death is a preferable outcome over being arrested. I don't shoot cops on sight for speeding tickets. But if they ever attempted to get my guns I would open fire yes.

28. On November 27, 2022, SMITH sent messages regarding his plan to purchase the auto sears with CHS-1 over the social media messaging platform. SMITH told CHS-1 about his concerns with obtaining the auto sears:

SMITH: Worry over this auto sear deal. But fuck it I guess if this guys an informant I'll just shoot him and then I'm done ig (sic). I feel like he's not but I wonder. It's 30 years in prison for what I'm getting....Just not used to it maybe. I'm sure it'll be all good. I'm having a weird thing right now before I was close to 21 I didn't care if I lived or died cause it felt like it was so far away. But now I'm almost there I don't want to die in some dumb shit. And I know if I go there and he is an informant let's just say I'd waste him then as many cops as I could then I'd be dead.

29. On December 5, 2022, SMITH messaged CHS-1 that he had not slept in twenty-four hours because he had been studying his enemy: "Im just learning about my enemy watching police bodycam shootings on YouTube." When CHS-1 asked SMITH why he was watching videos about police encounters, SMITH replied, "I'm pretty fucked

up I like seeing people get shot.”

Additional Statements to CHS-2

30. On November 28, 2022, SMITH and CHS-2 met at the gun range. SMITH introduced the topic of destructive devices to CHS-2:

SMITH: Oh, sure, yeah. Oh, I’as ask ya- this is probably obnoxious, okay. Ju- just outta curiosity, you know what an M67²² is? For frag grenade?

CHS-2: Ok, so, i- that’s- that’s a thirty- t- [whispers] thirty-three millimeter?

SMITH: Yeah-

CHS-2: One that shoots incendiary rounds?

SMITH: Oh no- no, I meant the actual grenades.

CHS-2: Oh-

SMITH: You know, like the baseball grenades, you know?

CHS-2: Oh ok, ok- y-y- ok.

SMITH: Y’know?

CHS-2: I didn’t but I do now, yes. [laughter]

SMITH: Yeah, yeah. [CHS-2 laughing] Hey- is that somethin’ you could possibly get or no? Cause I thought that might be a little far, cause that’s actually, like, military shit, you know.

CHS-2: Yeah, hand grenades, I mean- not- not, like legitimate grenades.

...

SMITH: Yeah, yeah, I get- I get that. I was just curious. [CHS laughs] I’m like fuck, man, I would get some actual, legit grenades on

²² An M67 fragmentary grenade, or “frag grenade,” is a hand grenade used by the United States military in close combat; the grenade explodes, bursting into several small, fast-moving lethal fragments to cause maximum damage to dismounted troops.

that vest too, I'm like fuckin' why not?

31. SMITH went on to tell CHS-2 that he wanted the hand grenades to outfit his tactical vest. They discussed the viability of converting a decommissioned hand grenade into a live grenade. SMITH stated he would like three live hand grenades. At that time, CHS-2 and SMITH agreed to focus on the auto sears before exploring explosives.

32. During the November 28 meeting, CHS-2 told SMITH not to tell anyone where he was getting the auto sears. SMITH replied:

SMITH: Oh dude no. No, for sure, for sure. They-they won't have anyone to question bro. Cuz I'll be fucking dead, but so will hopefully a bunch of them. Fucking question my [unintelligible]. I got a note in the—my admin pouch in my plate carry that goes—it says, "Go fuck yourself officers," so they can find that once they get me. When they're scooping their boys up.

33. On December 1, 2022, CHS-2 met with SMITH in person to continue their conversation regarding SMITH's desire to purchase hand grenades. The following conversation was audio recorded:

CHS-2: I wanted to talk to you about what we were talking about at the end on Monday.

SMITH: Mm.

CHS-2: Um. You were talking 'bout grenades.

SMITH: Mm.

CHS-2: [laughter]

SMITH: What?

CHS-2: Uhh.

SMITH: I get it if you can't get 'em, I was just seein'. See, can you get 'em?

CHS-2: Uhm, I can get somethin' like 'em. It all depends on what you want like, like I said, this isn't my – like I wanted to do this, ya know, like just the sears first -

...

SMITH: Yeah, yeah, sounds good, yeah, we'll hold off on that but uh if I'm lookin' at somethin' like that it would probably be like the closest I could get to a grenade, you know? Not really like a remote detonating bomb-

CHS-2: So like-

SMITH: -although that sounds pretty cool but-

CHS-2: [laughter]

SMITH: -maybe in the future, maybe in the future, but for now.

CHS-2: Yep, so, like um, like a pull pin and like a little timer?

SMITH: Yea. Yeah.

34. On December 2, 2022, CHS-2 texted SMITH about the requested hand grenades, using the code “little green apples” in place of “grenades.” SMITH asked how much each hand grenade would cost. *See Figure 10*. Additionally, SMITH asked for “noise canceling headphones” and “an additional one of each piece.” *See Figure 11*. Given the context of CHS-2 and SMITH’s conversation the day prior and the fact that suppressors reduce sound intensity when a gun is discharged, your Affiant believes that SMITH used the term “noise canceling headphones” as code for a suppressor.²³ Further, your Affiant believes that SMITH’s request for “an additional one of each piece” refers to additional auto sears (one for an AR-style firearm and one for a Glock).

²³ CHS-2 later told SMITH he could not obtain a suppressor.

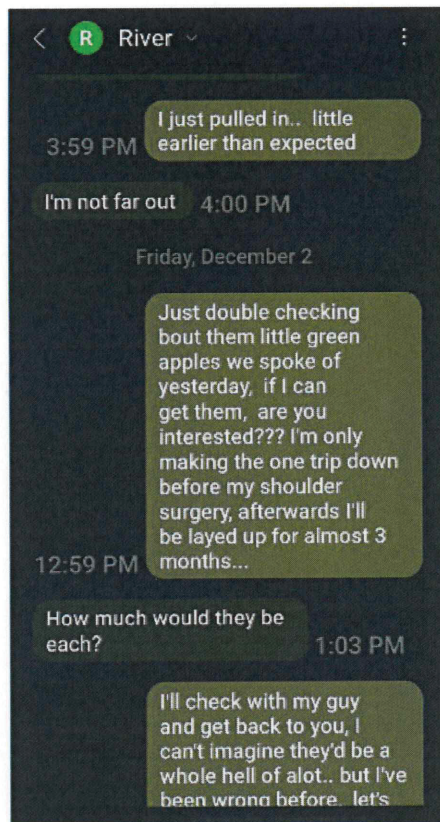


Figure 10

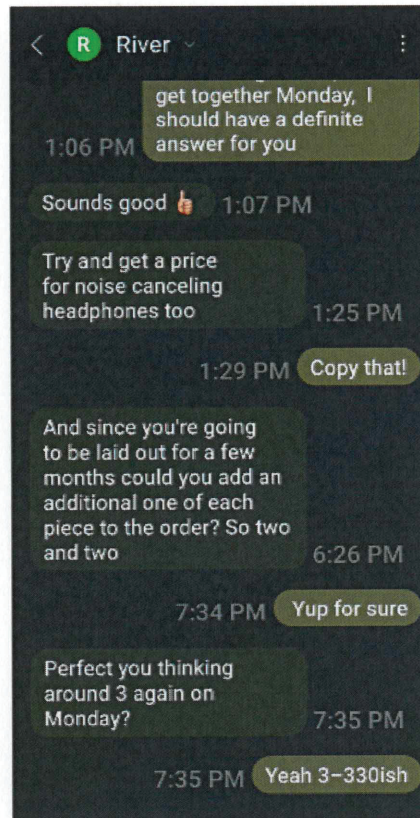


Figure 11

35. On December 5, 2022, SMITH met with CHS-2. In the audio recorded conversation, SMITH agreed to purchase three hand grenades, priced at \$250 per hand grenade. SMITH also gave CHS-2 a \$200 down payment for the grenades:²⁴

CHS-2: We can get grenades. In fact, we have grenades.

SMITH: Real ones?

CHS-2: Real live fucking grenades.

SMITH: Oh fuck yeah.

CHS-2: They're kind of expensive. But I mean-

...

SMITH: Yeah, yeah. How much is it?

²⁴ CHS-2 turned the \$200 payment over to the FBI.

CHS-2: Uh, 250 each. So you got-
SMITH: 250? That's fair though-
CHS-2: Max three.
SMITH: -if they're legit. Yeah.
CHS-2: So you can only get three.
SMITH: Yeah.

Smith's Ammunition Purchases

36. Your Affiant is aware that SMITH obtained ammunition on multiple occasions from the same store from September through November of 2022. Because SMITH is prohibited from purchasing pistol ammunition based on his age, SMITH's grandmother, R.M., made purchases for him. Security footage from the store shows SMITH picking out several boxes of ammunition and handing them to his grandmother, R.M., for purchase. In September and November of 2022, SMITH purchased 300 and 350 rounds of ammunition, respectively. SMITH also left receipts at the gun range, indicating that he or his grandmother purchased approximately 600 rounds of ammunition in October of 2022. While these recent purchases were made from the same store, R.M. purchased 100 rounds of ammunition from a different store in April of 2022. The known ammunition purchases are of substantial quantity, and your Affiant cannot confirm that these are the only purchases being made by SMITH or R.M. This suggests to the Affiant that SMITH is procuring a substantial amount of ammunition, which is a requirement to employ a fully automatic weapon.

37. A trash cover conducted at SMITH's residence led to the discovery of an empty box for 50-count Hollow Point Centerfire pistol cartridges. Your Affiant knows

hollow point ammunition is primarily used in handguns that are carried for self-defense, not as range training ammunition. Law enforcement uses hollow point ammunition, and it is known for being both more expensive and more lethal.

Smith's Purchase of Auto Sears and Grenades


38. On December 14, 2022, FBI agents provided CHS-2 with three inert hand grenades and three auto sears. Under the supervision of law enforcement, a meeting between SMITH and CHS-2 was arranged. CHS-2 showed SMITH the auto sears and hand grenades, and SMITH provided CHS-2 with \$690 in cash. SMITH took possession of the items in a bag and left CHS-2. SMITH was then placed under arrest by law enforcement. At the time of arrest, SMITH had on his person a Glock handgun with a bullet in the chamber, two full magazines, and was wearing soft armor.

39. Your Affiant confirmed that SMITH is not listed on the National Firearms Registry as a person allowed to possess machine guns and destructive devices.

CONCLUSION

40. Based on the information described above, I respectfully submit there is probable cause to believe that River William SMITH did knowingly possess or transfer machine guns, to wit: auto sears; and did attempt to possess a destructive device, to wit: hand grenades.

Respectfully submitted,



Trevor Bruders
Special Agent,
Federal Bureau of Investigation

SUBSCRIBED and SWORN to before me by reliable
electronic means (Zoom and email) pursuant to
Fed. R. Crim. P. 41(d)(3) on December 14, 2022



The Honorable David T. Schultz
UNITED STATES MAGISTRATE JUDGE